

REMARKS

I. PRELIMINARY REMARKS

Claims 1, 7, 9, 13, 15, 18 and 19 have been amended. No claims have been canceled. Claims 21-28 have been added. Claims 1-28 remain in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

Applicant notes with appreciation that claim 20 has been allowed and that the Office Action indicated that claims 7, 13-14, 16, 18 and 19 would be allowable if rewritten in independent form. As claims 7, 13 (from which claim 14 depends), and 18 (from which claim 19 depends) have been rewritten in independent form, applicant respectfully submits that claims 7, 13-14, 18 and 19 are in condition for allowance.¹

II. PRIOR ART REJECTIONS

A. The Rejections

Claims 1, 2, 4-6 and 8 have been rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,712,012 to Forman ("the Forman patent"). Claims 9-12 have been rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,989,382 to Parker ("the Parker patent"). Claims 1-6, 8-12, 15 and 17 have been rejected under 35 U.S.C. § 103 as being unpatentable over the combined teachings of

¹ With respect to the statement of reasons for allowance on page 4 of the Office Action, applicant notes for the record that such a statement "is not intended to necessarily state all the reasons for allowance or all the details why claims are allowed." [MPEP 1302.14.] Additionally, the inventions claimed in the present application respectively comprise various elements in combination and the patentability of each invention derives from the claimed combination of elements defining that invention, viewed as a whole, rather than from the presence of any particular element (or elements) in the combination.

the Parker and Forman patents.² The rejections under 35 U.S.C. §§ 102 and 103 are respectfully traversed with respect to the claims as amended above. Reconsideration thereof is respectfully requested.

B. The Cited References

The Forman patent is directed to a placemat including a cellulosic layer 12, a hydrophobic coating 10 and an adhesive layer 14. The adhesive layer includes a plurality of strips. Release strips 16 may be placed over the adhesive layer strips 14. There is also a perforation 15 for use in those instances where the placemat will be placed on a baby tray.

The Parker patent discloses sheets with cohesive on both sides (or “faces”) of the sheet. First face 11 of sheet 10, for example, includes cohesive strips 20 and 21 along the side edges 15 and 16 and patterns of spaced cohesive 22 and 23 along the top and bottom edges 13 and 14. Cohesive is arranged in the same way on the second face 12, although it is offset by distance “d.” [Note reference numerals 24-27.] There are also perforation lines that allow portion of the sheets 10 to be removed after two of the sheets are used to form a sealed packet 39. Prior to the assembly process, the sheet are stacked one on top of another in a feed bin with face 11 of each sheet 10 “engaging” face 12 of the next sheet in the stack. [Column 6, lines 11-18.] As such, the cohesive of each sheet will be in contact with the adjacent sheet, but will not be in contact with the adjacent sheet’s cohesive, due to the offset distance “d.” During the assembly process, one sheet is moved the offset distance “d” relative to the sheet to which it will be secured so that the cohesive on each of the sheets will be aligned when pressure is applied. [Column 7, lines 8-44.]

² In view of the discussion at the bottom of page 3 of the Office Action, it appears that the inclusion of claims 9-12 (which do not call for a “liner”) in the rejection under 35 U.S.C. § 103 was a typographical error and applicant has treated it as such. Should the rejection be maintained, applicant respectfully requests that this issue be clarified in the next Office Action.

C. Claims 1-6 and 8

Independent claim 1 calls for a combination of elements comprising “a sheet,” “at least one strip of adhesive material on one of the front and rear sides of the sheet adjacent to a first one of the plurality of side edges” and “a plurality of liners positioned over the at least one strip of adhesive material and adjacent to the first one of the plurality of side edges with **one of the plurality of liners located between the first one of the plurality of side edges and another one of the plurality of liners.**” The respective combinations defined by claims 2-6 and 8 include, *inter alia*, the elements recited in claim 1.

The Forman patent fails to teach or suggest the claimed combinations. For example, the Forman release strips 16 are not adjacent to the first one of the plurality of side edges of the cellulosic layer 12 with one of the plurality of release strips 16 located between the first one of the plurality of side edges and another one of the release strips 16. The placemat illustrated in Figure 1 includes three release strips 16 that are perpendicular to the long edges of the placemat and parallel to the short edges. None of the Forman release strips 16 are between one of the long edges and one of the other release strips. Nor is there a plurality of release strips 16 adjacent to any one of the short edges. The placement illustrated in Figure 4 suffers from a reoriented version of the same deficiency.

As the Forman patent fails to teach or suggest each and every element of the combination recited in independent claim 1, applicant respectfully submits that the rejection of claims 1, 2, 4-6 and 8 under 35 U.S.C. § 102 should be withdrawn.

The proposed Parker/Forman combination also fails to teach or suggest the claimed combinations. For example, even assuming that there was some reason to combine the reference in the manner proposed in the Office Action,³ the Parker cohesive strips (20/21 or 24/25) and patterns of spaced cohesive (22/23 and 26/27) are not arranged such that there are a plurality of cohesive strips (or patterns) next to any

³ Applicant respectfully submits that there is not for the reasons discussed in Section II-E below.

one of the side edges with one of the strips (or patterns) between the side edge and another of the strips (or patterns). Thus, even if there was some reason to add one of the Forman release strips 16 to each of the Parker cohesive strips or patterns, the release strips would not be positioned in the manner set forth in the claimed combinations.

As the proposed Parker/Forman combination fails to teach or suggest the combination of elements recited in independent claim 1, applicant respectfully submits that the rejection of claims 1-6 and 8 under 35 U.S.C. § 103 should be withdrawn.

D. Claims 9-12

Independent claim 9 calls for a combination of elements comprising “a sheet defining ... at least first and second ***intersecting*** side edges,” “a ***substantially continuous*** first strip of adhesive material ... adjacent to the first side edge and extending substantially from one longitudinal end of the first side edge to the other longitudinal end of the first side edge” and “a ***substantially continuous*** second strip of adhesive material ... adjacent to the second side edge and extending substantially from one longitudinal end of the second side edge to the other longitudinal end of the second side edge.” The respective combinations defined by claims 10-12 include, *inter alia*, the elements recited in claim 9.

The Parker patent fails to teach or suggest such combinations. For example, there simply are no intersecting side edges in the Parker sheets with substantially continuous strips of the cohesive. [Note the spaced deposits of cohesive in the cohesive patterns 22 and 23 that run along the top and bottom edges 13 and 14.]

As the Parker patent fails to teach or suggest each and every element of the combination recited in independent claim 9, applicant respectfully submits that the rejection of claims 9-12 under 35 U.S.C. § 102 should be withdrawn.

E. Claims 15 and 17

Independent claim 15 calls for a combination of elements comprising “a sheet defining ... at least first and second intersecting side edges,” “a first strip of adhesive material ... adjacent to the first side edge,” “a second strip of adhesive material ... adjacent to the second side edge” and “first and second liners respectively covering the first and second strips of adhesive material.” The respective combinations defined by claims 15 and 17 include, *inter alia*, the elements recited in claim 15.

The proposed Parker/Forman combination fails to teach or suggest the claimed combinations. For example, and as noted in the Office Action, the Parker patent fails to teach or suggest the use of a “first and second liners” over the cohesive patterns on the first and second faces of the Parker sheets. The Office Action has taken the position that the Forman patent remedies this deficiency. This position is respectfully traversed for a number of reasons. First and foremost, the Parker sheets and cohesive are clearly designed in such a manner that liners are unnecessary. The cohesive on the first and second faces is offset so that the sheets do not stick to one another when stacked, and can be fed one at a time from the stack into a printer. [Abstract.] The addition of liners to the Parker sheets would add also an unnecessary step to the assembly process, i.e. the removal of the liners prior to joining two of the sheets to one another.

In view of the foregoing, applicant respectfully submits that one of ordinary skill in the art would not have been motivated by the combined teachings of the Parker and Foreman patents to add liners to the Parker sheets. The rejection of claims 15 and 17 under 35 U.S.C. § 103 is, therefore, improper and should be withdrawn.

III. NEWLY PRESENTED CLAIMS 21-28

Newly presented claims 21 and 22 depend from claim 7 and are patentable for at least the same reasons as claim 7.

Newly presented claims 23 and 24 depend from claim 13 and are patentable for at least the same reasons as claim 13.

Newly presented claims 25 and 26 depend from claim 15 and are patentable for at least the same reasons as claim 15.

Newly presented claims 27 and 28 depend from claim 18 and are patentable for at least the same reasons as claim 18.

IV. CLOSING REMARKS

In view of the foregoing, it is respectfully submitted that the claims in the application are in condition for allowance. Reexamination and reconsideration of the application, as amended, are respectfully requested. Allowance of the claims at an early date is courteously solicited.

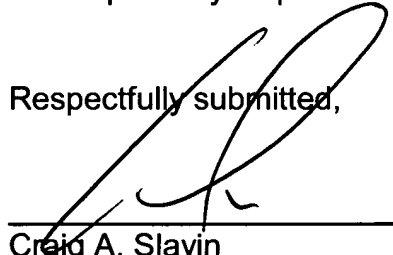
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call applicant's undersigned representative at (310) 563-1458 to discuss the steps necessary for placing the application in condition for allowance.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0638. Should such fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefor.

7/13/05
Date

Henricks, Slavin & Holmes LLP
840 Apollo Street, Suite 200
El Segundo, CA 90245
(310) 563-1458
(310) 563-1460 (Facsimile)

Respectfully submitted,



Craig A. Slavin
Reg. No. 35,362
Attorney for Applicant